1 WALTER WILHELM LAW GROUP 2 A Professional Corporation Riley C. Walter, #91839 Danielle J. Bethel #315945 205 East River Park Circle, Ste. 410 Fresno, CA 93720 Telephone: (559) 435-9800 Facsimile: (559) 435-9868 rilevwalter@w2lg.com E-mail: 6 Attorneys for Debtor, Tulare Local Healthcare District, 7 dba Tulare Regional Medical Center IN THE UNITED STATES BANKRUPTCY COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 FRESNO DIVISION CASE NO. 17-13797 11 In re TULARE LOCAL HEALTHCARE 12 Chapter 9 DISTRICT, dba TULARE REGIONAL MEDICAL CENTER, DC No.: WW-35 13 14 Debtor. May 17, 2018 Date: Time: 9:30 a.m. 15 Tax ID #: 94-6002897 2500 Tulare Street Place: Address: 869 N. Cherry St. Fresno, CA 93721 16 Tulare, CA 93274 Courtroom 13 Honorable René Lastreto II Judge: 17 18 **EXHIBITS IN SUPPORT OF MOTION FOR ORDER APPROVING AGREEMENT** RELATING TO RELIEF FROM THE AUTOMATIC STAY (MEC) 19 20 $/\!/\!/$ 21 22 $/\!/\!/$ 23 24 $/\!/\!/$ 25 /// 26 /// 27 $/\!/\!/$ 28 -1-

EXHIBITS IN SUPPORT OF MOTION FOR ORDER APPROVING AGREEMENT RELATING TO RELIEF FROM STAY (MEC)

Exhibit	Description	Pages
A	Stipulation for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362 that will be presented to the superior court once signed	3
В	[Proposed] Order Approving Agreement Relating to Relief from the Automatic Stay	2

Dated: May 3, 2018

WALTER WILHELM LAW GROUP, a Professional Corporation

By: Riley C. Walter,

Attorneys for Debtor, Tulare Local Healthcare District, dba Tulare Regional Medical Center

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Attorneys for Tulare Local Healthcare

Attorneys for Tulare Local Healthcare District, dba Tulare Regional Medical Center

IN THE UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE REGIONAL MEDICAL CENTER,

Debtor.

Tax ID #: 94-6002897

Address: 869 N. Cherry Street

Tulare, CA 93274

CASE NO. 17-13797

DC No.: WW-35

Chapter 9

Date:

N/A

Time:

N/A

Place:

2500 Tulare Street

Fresno, CA 93721

Courtroom 13

Dept. B, Fifth Floor

Judge:

Honorable René Lastreto II

STIPULATION FOR RELIEF FROM THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362

TULARE LOCAL HEALTHCARE DISTRICT, dba Tulare Regional Medical Center

("TRMC") and TULARE REGIONAL MEDICAL CENTER MEDICAL STAFF ("Plaintiff

Medical Staff"), by and through their respective counsel, hereby enter into the within

Stipulation for Relief from the Automatic Stay pursuant to 11 U.S.C. § 362 (the

"Stipulation"). The Stipulation is made with reference to the following:

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STIPULATION FOR RELIEF FROM AUTOMATIC STAY (DOMINGUEZ)

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RECITALS

- On September 30, 2017, TRMC commenced a voluntary case under chapter 9 of title 11 of the United States Bankruptcy Code in the United States Bankruptcy Court, Eastern District of California ("Petition Date").
- 2. Prior to the Petition Date, Plaintiff Medical Staff initiated a lawsuit against Professional Medical Staff of Tulare Regional Medical Center ("Replacement Medical Staff"), and Healthcare Conglomerate Associates, LLC ("HCCA") for violation of the Ralph M. Brown Act; violation of the Medical Practices Act; certain Health and Safety Code violations, and declaratory relief ("Plaintiff Medical Staff's Claims"), in the matter styled Tulare Regional Medical Center Medical Staff v. Tulare Local Healthcare District, dba Tulare Regional Medical Center, Healthcare Conglomerate Associates, LLC, Professional Staff of Tulare Regional Medical Center, and Does 1 through 100, inclusive, Tulare County Superior Court case no. VCU 264227 (the "Lawsuit").
- 3. After negotiation, TRMC, Plaintiff Medical Staff, Replacement Medical Staff, and HCCA (collectively, the "Parties") are very close to reaching an agreement on a final stipulated judgment, to be entered by the Tulare County Superior Court, which would resolve all of the claims encompassed by the Lawsuit.
- 4. Relief from the automatic stay is required in order for the Parties to finalize negotiations and conclude the Lawsuit.
- Accordingly, TRMC and Plaintiff Medical Staff have agreed to allow the
 Automatic Stay to be modified pursuant to the terms and conditions stated herein.

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STIPULATION AND AGREEMENT

NOW, THEREFORE, subject to Court approval, the parties hereby stipulate and agree as follows:

- 1. The Automatic Stay pursuant to 11 U.S.C. § 362 shall be modified to allow the Lawsuit to continue for the sole purpose of entering a final judgment and order for equitable and other relief.
- Any amendment to this Stipulation shall be made in writing, signed by TRMC and Plaintiff Medical Staff, and approved by the Court.
- 3. TRMC and Plaintiff Medical Staff stipulate to entry of an order approving this Stipulation subject to compliance with FRBP 4001, if required.

IT IS HEREBY STIPULATED AND AGREED.

May____, 2018

LAW OFFICES OF JOHN D. HARWELL

John D. Harwell, Attorneys for Plaintiff, **Tulare Regional Medical Center Medical** Staff

May___, 2018

WALTER WILHELM LAW GROUP, a Professional Corporation

Riley C. Walter, Attorneys for Debtor, Tulare Local Healthcare District, dba **Tulare Regional Medical Center**

WALTER WILHELM LAW GROUP A Professional Corporation Riley C. Walter #91839 Danielle J. Bethel #315945 205 East River Park Circle, Ste. 410 Fresno, CA 93720 Telephone: (559) 435-9800 (559) 435-9868 Facsimile: E-mail: rileywalter@w2lg.com Attorneys for Tulare Local Healthcare District. dba Tulare Regional Medical Center IN THE UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA FRESNO DIVISION CASE NO. 17-13797 In re TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE REGIONAL MEDICAL CENTER, Chapter 9 DC No.: WW-35 Debtor. May 17, 2018 Date: 9:30 a.m. Time: Tax ID #: 94-6002897 2500 Tulare Street Place: 869 N. Cherry St. Address: Fresno, CA 93721 Tulare, CA 93274 Courtroom 13 Honorable René Lastreto II Judge: ORDER APPROVING AGREEMENT RELATING TO RELIEF FROM THE **AUTOMATIC STAY** At Fresno, in the Eastern District of California. The Court having received and reviewed the Motion for Approval of Agreement Relating to Relief From the Automatic Stay, the Motion having been duly and properly served and noticed, and there being no objection to the relief sought, and good cause appearing, /// ORDER APPROVING AGREEMENT RELATING TO RELIEF

FROM THE AUTOMATIC STAY EXHIBIT Of-Page.

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1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Motion be 2 approved and said Stipulation attached to this Order as Exhibit "A" shall be, and hereby 3 is, adopted as the Order of this Court. 4 Presented by: 5 6 WALTER WILHELM LAW GROUP 7 a Professional Corporation 8 9 Riley C. Walter, 10 Attorneys for Debtor, Tulare Local Healthcare District, dba Tulare Regional 11 **Medical Center** 12 13 14 15 16 17 18 19 20 21 22 23 24 IT IS SO ORDERED. 25 Dated: May ____, 2018 26 United States Bankruptcy Judge 27 28

ORDER APPROVING AGREEMENT RELATING TO RELIEF PROM THE AUTOMATIC STAY EXHIBIT \lozenge

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